

SENATE BILL 2548
By Kyle

AN ACT to amend Tennessee Code Annotated, Title 65, Chapter 4, Part 1, relative to protecting subscribers to telecommunications services against unauthorized and unfair practices and charges.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code, Annotated, Title 65, Chapter 4, Part 1, is amended by adding the following as a new section:

Section _____. (a) No telecommunications service provider, and no person acting on behalf of any telecommunications service provider, shall knowingly designate or change the provider of telecommunications services to a subscriber without the authorization of such subscriber.

(b) No telecommunications service provider, and no person acting on behalf of any telecommunications service provider, shall knowingly bill and collect from any subscriber to telecommunications services any charges for services to which such subscriber has not subscribed, or any amount in excess of that specified in the tariff or contract governing the charges for such services.

(c) The Tennessee regulatory authority shall establish a consumer complaint form on the internet for reporting telecommunications service providers or persons acting on their behalf who charge the provider of telecommunications services in violation of the provisions of this act. Any internet sites which are maintained by the authority, the general assembly or the governor's office shall contain a link to such form.

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(d) The Tennessee regulatory authority shall adopt rules implementing the provisions of this section, including, without limitation, rules specifying the manner in which subscriber authorization may be obtained and confirmed.

(e) The Tennessee regulatory authority may entertain and decide complaints and issue orders, including, without limitation, show cause orders, to enforce the provisions of this section and its rules against any telecommunications service provider, or any person acting on behalf of any telecommunications service provider.

SECTION 2. This act shall not have the effect of superseding any existing rules of the Tennessee regulatory authority, or any order or proceeding to enforce such existing rules. Any such existing rules shall remain in effect until such time as the Tennessee regulatory authority adopts new rules pursuant to this act.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.